

REMARKS

The Examiner, in response to Applicant's arguments, indicated that "the features upon which applicant relies (i.e., the density of the fluid that is to be absorbed) are not recited in the rejected claims." The Examiner continued at page 3, paragraph 6, that the "presence of a structural limitation which would require the addition of a first substance and a second substance, having different densities, that would result in the formation of a 'gel' would effectively destroy the anticipatory mature of the rejection made in view of United States Patent No. 5146877 to Jaffee et al." The Examiner finally indicated that the claim "should indicate that the absorbents are responsible for the liquid gelling."

The Examiner indicated that with respect to Claims 23-25 drawn to a method, the arguments are persuasive in distinguishing over Jaffee. The Examiner indicated that "it is presumed that the absorbents either play a role in the gelling, or are responsible for the gelling." It is respectfully submitted that the same language is used in Claims 1, 18 and 23 as presented in Applicant's previous response. Accordingly, as the Examiner has correctly presumed, the language of Claims 1, 18 and 23 should be read in the same manner for each of these claims, and such language should be deemed persuasive for all said claims.

Notwithstanding, Claims 1, 18, 19 and 23 have been amended to include language to indicate that when the liquid to be solidified is added to a mixture of the first and second absorbents, the first and second absorbents convert the liquid to a gel. Accordingly, it is respectfully submitted that, as the Examiner has indicated, the Examiner's rejection of the claims under Jaffee has been overcome.

The Examiner indicated that Claims 19-22 had not been amended and remained rejected for the reasons of record. Claim 19 has been amended as indicated above in similar fashion to the prior amendments of Claims 1, 18 and 23.

Accordingly, it is respectfully submitted that the Examiner's prior rejections have been overcome.

The Examiner objected to Claims 12, 13, 16 and 17 under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. The Examiner required the claims to be cancelled, amended to place the claims in proper dependent form, or to rewrite the claims in independent form. The Examiner explained that the claims, as written, change the scope of Claim 1, but do not further limit the scope of such claim. Accordingly, Claims 12, 13, 16 and 17 have been cancelled and new Claims 26-40 have been entered. New Claim 26 includes the limitations of Claim 1, with the exception that the first and second absorbents are combined in a mixture. It is respectfully submitted that the cancellation of Claims 12, 13, 16 and 17 and the addition of new Claims 26-40 overcome the objection of such claims.

The Examiner then repeated his rejection of Claims 1-7, 9, 10, 14, 18 and 19 under 35 USC §102(b) as being anticipated by Jaffee. The Examiner again indicated that the rejection in view of Jaffee, with respect to Claims 1 and 18, would be withdrawn upon a positive recitation or other showing that the absorbents are the agents responsible for the gelling. As discussed above, Claims 1 and 18 have been amended to include such positive recitation. Accordingly, it is respectfully submitted that the Examiner's stated rejection has been overcome.

The Examiner rejected Claims 1, 3, 5, 6, 8, 11, 15 and 19-24 under 35 USC §102(b) as being anticipated by US Patent No. 5,939,086 issued to Levy. The Examiner rejected Claims 8, 21 and 22 under 35 USC §103(a) as being unpatentable Jaffee in view of Patent Application 20020193492 filed by Wilson. The Examiner rejected Claims 12, 13, 16 and 17 under 35 USC §103(a) as being unpatentable over US Patent No. 5,092,858 issued to Benson, in view of Jaffee and Wilson. The Examiner rejected Claim 25 under 35 USC §103(a) as being unpatentable over the combination of Benson in view of Wilson. Such rejections are noted. It is respectfully submitted that, with the amendments to the claims

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and the rationale as stated above in view of Jaffee, the Examiner's rejections have been overcome.

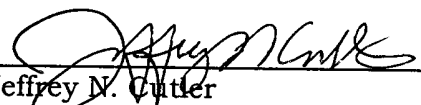
Claim 3 has been amended to correct a typographical error. It is respectfully submitted that such amendment does not change the scope of such claim. Further, such amendment is not made for reasons of patentability.

Claim 6 has been amended to correct a typographical error and to reflect amendments previously made to Claim 1 as described. It is respectfully submitted that such amendment does not change the scope of such claim. Further, such amendment is not made for reasons of patentability.

In view of the amendments to Claims 1, 3, 6, 18, 19 and 23 as described, the addition of new Claims 26-40, and further in view of the distinguishing remarks made above, it is respectfully submitted that the Examiner's rejections have been overcome and that the application is now in condition for allowance.

Please charge any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 16-1910.

Respectfully submitted,
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